

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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E. REMY MARTIN & CO., :  
: :  
: :  
Plaintiffs : : MISCELLANEOUS ORDER  
: :  
-v- : : 21 Civ. 6838 (AKH)  
SIRE SPIRITS LLC, ET AL., :  
: :  
: :  
Defendants. : :  
: :  
----- x

ALVIN K. HELLERSTEIN, U.S.D.J.:

1. The motion to admit Brian C. Bianco (ECF #26) is granted.
2. The plaintiffs' motion (ECF #86) to strike affirmative defenses and counterclaims is denied, without prejudice to renewal at the final pre-trial conference. The defenses are common-place in patent infringement lawsuits, and adequately allege the facts, giving proper notice. The counterclaims are the flip-side of the complaint, also common-place in patent infringement lawsuits. The defenses and counterclaims are not likely to add burden to the case.
3. The status conference set for tomorrow April 29, 2022 is canceled. Instead there will be a claim construction proceeding to be described in a separate order.

SO ORDERED.

Dated: April 28, 2022  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge